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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR19-226-RS
)	
Plaintiff,)	STIPULATION TO CONTINUE TRIAL DATE
)	FROM APRIL 17, 2023 TO OCTOBER 2, 2023
v.)	AND TO EXCLUDE TIME FROM APRIL 17, 2023
)	THROUGH OCTOBER 2, 2023;
LORENZO LEE,)	ORDER
EVAN MARTINEZ-DIAZ,)	
JESSE LOPEZ, III,)	
TIMOTHY PEOPLES,)	
LUIS TORRES GARCIA,)	
)	
Defendants.)	

The Court has indicated that it is not available for trial on April 17, 2023 and directed the parties select a new trial date. The parties have met and conferred and request that the current trial date be vacated and a new trial date be set for October 2, 2023.

The government is ready proceed to trial. Defendants Lorenzo Lee, Jesse Lopez, Evan Martinez-Diaz, and Timothy Peoples are out of custody and agree that time should be excluded under the Speedy Trial Act for effective preparation of counsel. Defendant Torres Garcia made his initial appearance on or about January 31, 2023 and was later released. Defense counsel is evaluating whether Torres Garcia will be ready for trial on October 2, 2023. Counsel for defendant Torres Garcia takes no position on

whether time should be excluded beyond his next status date of April 25, 2023 but will be prepared to provide his position at the April 25, 2023 status.

The parties (with the exception of defendant Torres Garcia noted above) hereby stipulate and agree that time should be excluded under the Speedy Trial Act from April 17, 2023 through October 2, 2023 for effective preparation of counsel taking into account the exercise of due diligence. The parties agree that exclusion from the time limits applicable under 18 U.S.C. § 3161 (the Speedy Trial Act) for the period from April 17, 2023 through October 2, 2023, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS SO STIPULATED

STEPHANIE M. HINDS
United States Attorney

Dated: March 14, 2023

/s/_____
DANIEL PASTOR
JOSEPH TARTAKOVSKY
Assistant United States Attorneys

Dated: March 14, 2023

/s/_____
GAIL SHIFMAN
Counsel for Defendant Lorenzo Lee

Dated: March 14, 2023

/s/_____
ERICK GUZMAN
Counsel for Defendant Jesse Lopez III

Dated: March 14, 2023

/s/_____
ARTURO HERNANDEZ
Counsel for Defendant Evan Martinez Diaz

Dated: March 14, 2023

/s/_____
BRIAN BERSON
Counsel for Defendant Timothy Peoples

Dated: March 14, 2023

/s/_____
PETER ARIAN
Counsel for Defendant Luis Torres Garcia

ORDER

Based upon the facts set forth above, and for good cause shown, the Court finds that exclusion from the time limits applicable under 18 U.S.C. § 3161 (the Speedy Trial Act) for the period from April 17, 2023 through October 2, 2023, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant the requested continuance would deny the defendants the effective preparation of counsel taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS HEREBY ORDERED THAT the time from April 17, 2023 through October 2, 2023 shall be excluded from computation under the Speedy Trial Act.

Pursuant to the parties' stipulation, the April 17, 2023 trial date is vacated. The trial date for this case is rescheduled to October 2, 2023.

DATED: March 14, 2023



HON. RICHARD SEEBORG
Chief United States District Judge